UNITED
NATIONS

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General Assembly Security Council

Distr.
GENERAL

A/46/133
S/22450
5 April 1991
ENGLISH
ORIGINAL: FRENCH

GENERAL ASSEMBLY
Forty-sixth session
Item 60 (b) of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
INTERNATIONAL ARMS TRANSFERS

SECURITY COUNCIL
Forty-sixth year

Letter dated 3 April 1991 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to inform you that on 22 March 1991 my Government submitted to Parliament a bill on the import, export and carriage in transit of arms, munitions and matériel designed especially for military use, and of the related technology. The enactment of a specific law to regulate international trade in goods of this type is an innovative move. In this way, Belgium is supporting the interest shown by the United Nations in regulating the international trade in arms and munitions, particularly with a view to combating the illicit arms trade.

The bill submitted to Parliament contains inter alia the following elements:

(a) It provides that a specific royal decree will define the list of arms, munitions and matériel designed especially for military use, and the related technology, of which the import, export and carriage in transit is to be prohibited.

It institutes a licensing system for the import, export and carriage in transit of other arms, munitions and military matériel and the related technology;

(b) The right of the executive branch to refuse to grant licences is explicitly provided for "if, having regard to the situation in the country of destination, it appears that the export or transit would run seriously counter to Belgium's external interests or to international objectives pursued by Belgium and would, in particular, contribute to a serious violation of human rights".

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* A/46/50.

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It would be incumbent upon the Belgian Government to determine, in exercise of its sovereignty, the cases in which, in order to protect the objectives pursued by it, it will deny export or transit. In the explanatory document accompanying the bill, promotion of respect for the Charter of the United Nations and for human rights, the fight against international terrorism and national security in the context of defensive alliances are cited (in non-restrictive terms) as international objectives relevant to the application of the law;

(c) The administration's control mechanisms are strengthened, and the Government's powers with regard to the suspension or withdrawal of licences granted are spelt out;

(d) New penalties are provided for in the event of a violation or attempted violation of the law;

(e) The Government will report annually to the Chamber of Representatives on the application of the law.

I shall keep you informed of the progress of the ongoing parliamentary procedure with respect to the bill in question.

I should be grateful ir you would have the text of this letter circulated as an official document of the General Assembly, under item 60 (b) of the preliminary list, and of the Security Council.

(Signed) Paul NOTERDAEME
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of Belgium
to the United Nations